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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,952	08/26/2003	Ismail Onder	175.7902USU	3593

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EXAMINER

PHAM, LEDA T

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary	Application No.	Applicant(s)	
	10/647,952	ONDER ET AL.	
	Examiner	Art Unit	
	Leda T. Pham	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7 and 10-15 is/are rejected.
- 7) ☒ Claim(s) 5, 6, 8, 9 and 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This office action is in response to amendment filed on 1/05/05.
2. Claims 1 –16 are presented for examination.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 – 4, 7, 10 are rejected under 35 U.S.C. 102(b) as being anticipate by Patel et al. (U.S. Patent No. 4,881,001).

Referring to claim 1, Patel teaches a pole ring (figure 1) for a D.C. motor housing, comprising:

several retaining projections (16) provided at an outer circumference, said retaining projections radially securing and axially retaining the pole ring in the D.C. motor housing (30), the retaining projections comprising a retaining surface pointing oppositely to a mounting direction for mounting the pole ring in the D.C. motor housing (the direction of arrow A, figure 7).

Referring to claim 2, Patel teaches the pole ring wherein said retaining surfaces (the surface of projection 8b) have a sharp edge pointing radially outward (figure 1).

Referring to claim 3, Patel teaches the pole ring wherein said retaining surfaces extend substantially radially (figure 2).

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Referring to claim 4, Patel teaches the pole ring wherein said retaining projections extend in a longitudinal direction (the projections 16 extend in longitudinal direction according to the diameter of the lamination 14).

Referring to claim 7, Patel teaches the pole ring wherein each of the retaining projections extends no more than half the length of the pole ring (figure 1).

Referring to claim 10, Patel teaches an electric motor (figure 9), comprising:
a rotor (not shown) arranged in a housing (30), and
a pole ring (figure 1), particularly for a D.C. motor, with several retaining projections (16) provided at the outer circumference, said retaining projections for the secure radial and axial retainment in the housing (30), the retaining projections comprising a retaining surface pointing opposite to a mounting direction for mounting the pole ring the housing, the retaining projections surrounding the rotor.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 11 – 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patel further in view of Yoshida (U.S. Patent No. 5,057,730).

Referring to claim 11, Patel teaches the claimed invention, except for the added limitation of the electric motor further comprising a bearing and a retaining disc.

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Yoshida teaches the electric motor wherein a bearing (the ball bearing) arranged in the housing (2), for bearing the rotor shaft, and a retaining disc (the plate 8) for securing the position of the bearing, and the pole ring fixing the retaining disc (figure 1).

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Patel's motor with the bearing and the retaining disc as taught by Yoshida. Doing so would secure the bearing, the magnets in the motor.

Referring to claim 12, Yoshida teaches the electric motor wherein said retaining disc comprises an inner portion contacting the bearing and an outer portion contacting the pole ring (the plate ring 8, figure 2).

7. Claims 13 – 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patel in view of Howe et al. (U.S. Patent No. 6,774,518 B2).

Referring to claim 13, Patel teaches the claimed invention, except for the added limitation of the motor housing made by soft material.

Howe teaches a motor with the housing made by plastic (soft material) for reducing the cost of making the motor.

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to using soft material for the housing in the motor as taught by Howe. Doing so would reduce the cost of making the motor. Furthermore, it has been held to be within the general skill of a worker in the art to select a known material in the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin* 125 USPQ 416.

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Referring to claim 14, Patel teaches the electric motor wherein the plurality of retaining projections (16) comprise a retaining surface pointing opposite to a direction for mounting the pole ring in the motor housing (figure 1).

Referring to claim 15, Patel teaches the electric motor wherein said retaining surfaces have a shaft edge pointing radially outward (the edge of projection 16 pointing out for its circumferential).

Allowable Subject Matter

8. Claims 5 – 6, 8 –9, and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is an examiner's statement of reasons for allowance: the record of prior art does not show a pole ring for a DC motor with each of retaining projections has a guiding chamfer facing to the mounting direction of the motor, and a set of rear retaining projections axially offset with a set of front retaining projections.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

10. Applicant's arguments with respect to claims 1 – 12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leda T. Pham whose telephone number is (571) 272-2032. The examiner can normally be reached on M-F (8:30-6:00) first Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (571) 272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Leda T. Pham
Examiner
Art Unit 2834

LTP
March 31, 2005


DARREN SCHUBERG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 28